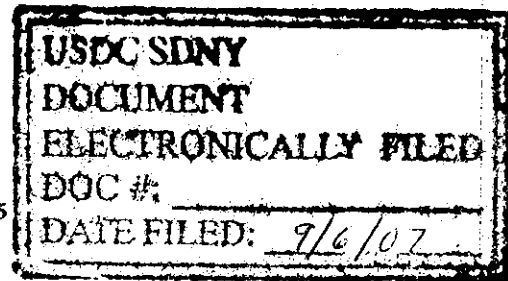


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MEMBER OF CALIFORNIA, NEW YORK
AND NEW JERSEY BARS

September 6, 2007

TELEPHONE: (310) 846-5800
FACSIMILE: (310) 846-5801

VIA FACSIMILE

The Honorable Andrew J. Peck
United States District Court
Southern District of New York
500 Pearl Street, Room 1370
New York, NY 10007

MEMO ENDORSED

*Approved, let if the case does not
settle let it be done with
expedited not likely to be settled.*

SO ORDERED:

Hon. Andrew J. Peck
United States District Court
Southern District of New York
Judge
Hon. Andrew J. Peck
United States District Court
Southern District of New York
Magistrate Judge

Re: **Rubie's Costumes Co., Inc. v. Bravado Merchandising Services, Inc.**
Civil Action No. 1:07-cv-05738-PKC-AJP

BY FAX

*copy for full court
Jep Costel*

Dear Judge Peck:

I am the attorney for the declaratory judgment defendants in the above-referenced action and I am writing this letter to request an extension of time to file a responsive pleading to the complaint until September 19, 2007. The original due date for a responsive pleading was August 20, 2007. An extension was granted until August 31, 2007 and a second extension was granted until September 10, 2007. I have communicated with Andrew Langsam, the attorney for the declaratory judgment plaintiff, and he has consented to this extension request.

I am making this request because the parties have progressed even further in settlement negotiations since my August 29, 2007 letter but still need extra time to address a few unresolved issues. The parties are still hopeful that a settlement can be concluded within the next 10 days. I selected the September 19, 2007 date because it will hopefully supply the parties sufficient time to conclude a settlement and it is one day before the re-scheduled status conference, which will allow the Court to address the direction in which this case is headed at the status conference.

Thank you for your time and consideration.

Respectfully submitted,


Kenneth A. Feinswog

KAF/kt

cc: Andrew S. Langsam, Esq.

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: September 6, 2007

Total Number of Pages: 2

TO	FAX NUMBER
Kenneth A. Feinswog, Esq.	310-846-5801
Andrew S. Langsam, Esq.	212-326-0806

TRANSCRIPTION:

MEMO ENDORSED 9/6/07

Approved, but if the case does not settle, the 12/3 discovery cutoff still applies and is not likely to be extended.

Copy to: Judge P. Kevin Castel